

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

TAMMIE HILL and DANIEL HILL,)	
)	
Plaintiffs)	
)	
v.)	CIVIL ACTION NO.
)	3:17-CV-00678
)	
WINNEBAGO INDUSTRIES, INC.,)	JURY TRIAL DEMANDED
)	
Defendant)	

**DEFENDANT’S MOTION IN LIMINE TO EXCLUDE PLAINTIFFS’
EXPERT, DENNIS BAILEY**

Comes now the Defendant, Winnebago Industries, Inc., by an through counsel, pursuant to Rules 104(a) and 702 of the *Federal Rules of Evidence* and *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993), and moves this Honorable Court to exclude Plaintiffs’ expert, Dennis Bailey, because his Rule 26 Report, his qualifications and his deposition testimony reveal that he does not meet the requirements of Rule 702 of the *Federal Rules of Evidence*.

As grounds for this Motion, the Defendant relies upon the Memorandum of Law in Support of this Motion, which is filed contemporaneously herewith and is incorporated herein by reference, as well as the following Exhibits attached hereto:

- Exhibit 1: Dennis Bailey’s Rule 26 Expert Report;
- Exhibit 2: Relevant Deposition Excerpts from the Deposition of Dennis Bailey;

These exhibits collectively demonstrate that the “expert” testimony of Dennis Bailey, Plaintiffs’ purported expert, is scientifically flawed, and is not the product of reliable application of appraisal

principles. Mr. Bailey also lacks the necessary qualifications to offer reliable testimony to assist the trier of fact to understand the evidence.

Respectfully submitted,

**LEITNER, WILLIAMS, DOOLEY
& NAPOLITAN, PLLC**

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CERTIFICATE OF SERVICE

I hereby certify that on **November 16, 2018**, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.

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